

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

Civil Action No. 2:13-cv-193 (NGR)

**[PROPOSED] CLARIFICATION OF INTERIM REMEDIAL ORDER**

Pursuant to a decision of the United States Court of Appeals for the Fifth Circuit, this Court, on August 10, 2016, issued an Interim Remedial Order allowing registered voters to vote a regular ballot in person in the upcoming November 2016 elections under certain circumstances, even if they do not possess and cannot reasonably obtain one of the photo IDs listed in SB 14.

These circumstances include the following. First, the photo IDs required by SB 14 may be up to four years out-of-date (expired). Second, a voter may vote a regular ballot by presenting one of various specific forms of non-SB 14 photo ID and signing a Declaration of Reasonable Impediment, which allows the voter to check a box explaining what prevents him or her from getting SB 14 ID.

Recent publicity may have raised concerns in people's minds that signing the Declaration of Reasonable Impediment may subject them to criminal prosecution if they have ever been issued SB 14 ID, but cannot find it, or in good faith believe that they do not possess SB 14 ID, but it is later found that they in fact were issued an SB 14 ID at some point. That is not the intent

of the Court's Interim Remedial Order; rather the Interim Remedial Order is intended to facilitate the ability of voters who do not have SB 14 ID and cannot reasonably obtain it to cast a regular ballot in the November 2016 election.

To clarify the situation, to ensure that the relief granted in that Order is understood by all, and after reviewing the motions to enforce the Interim Remedial Order and holding a hearing on this matter, the Court has determined that clarification is needed. Accordingly, the Court clarifies its earlier Interim Remedial Order as follows:

1. The Declaration of Reasonable Impediment is intended to be used by a voter who in good faith believes that he or she does not possess SB 14 ID and has a reasonable impediment or difficulty in obtaining SB 14 ID (such as the ID has been lost, stolen, or destroyed, the voter cannot take time off from work to get the ID, the voter cannot find transportation to get to the facility where the ID is issued, or other explanations). Simply because the voter has, at some time, been issued one or more of the SB 14 IDs does not mean that the voter's signing of the Declaration of Reasonable Impediment is a false statement. As set forth in bold above the signature line of the voter on the Declaration of Reasonable Impediment: "The reasonableness of [the voter's] impediment or difficulty cannot be questioned." (ECF 895).
2. The Interim Remedial Order does not require the voter to make a declaration of proof of citizenship or provide proof of residency at the polling place.
3. In light of the publicity given to statements attributed to officials as described above, which have not been disclaimed by those to whom they have been attributed, this Court will continue to review such statements brought to the Court's attention to ensure compliance with the terms of the Interim Remedial Order, and to further the purpose of that order.
4. The State shall promptly distribute a copy of this Clarification of Interim Remedial Order to all state and county election officials.

So ORDERED this \_\_\_\_ day of September, 2016.

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The Honorable Nelva Gonzales Ramos  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on September 19, 2016, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Lindsey B. Cohan

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